

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 574
OFFERED BY MR. BLILEY

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Made in America In-
3 formation Act”.

4 SEC. 2. ESTABLISHMENT OF TOLL FREE NUMBER PILOT
5 PROGRAM.

6 (a) ESTABLISHMENT.—If the Secretary of Commerce
7 determines, on the basis of comments submitted in rule-
8 making under section 3, that—

9 (1) interest among manufacturers is sufficient
10 to warrant the establishment of a 3-year toll free
11 number pilot program, and

12 (2) manufacturers will provide fees under sec-
13 tion 3(c) so that the program will operate without
14 cost to the Federal Government,

15 the Secretary shall establish such program solely to help
16 inform consumers whether a product is “Made in Amer-
17 ica”. The Secretary shall publish the toll-free number by
18 notice in the Federal Register.

1 (b) CONTRACT.—The Secretary of Commerce shall
2 enter into a contract for—

3 (1) the establishment and operation of the toll
4 free number pilot program provided for in subsection
5 (a), and

6 (2) the registration of products pursuant to
7 regulations issued under section 3,
8 which shall be funded entirely from fees collected under
9 section 3(c).

10 (c) USE.—The toll free number shall be used solely
11 to inform consumers as to whether products are registered
12 under section 3 as “Made in America”. Consumers shall
13 also be informed that registration of a product does not
14 mean—

15 (1) that the product is endorsed or approved by
16 the Government,

17 (2) that the Secretary has conducted any inves-
18 tigation to confirm that the product is a product
19 which meets the definition of “Made in America” in
20 section 5 of this Act, or

21 (3) that the product contains 100 percent
22 United States content.

23 **SEC. 3. REGISTRATION.**

24 (a) PROPOSED REGULATION.—The Secretary of
25 Commerce shall propose a regulation—

1 (1) to establish a procedure under which the
2 manufacturer of a product may voluntarily register
3 such product as complying with the definition of
4 “Made in America” in section 5 of this Act and have
5 such product included in the information available
6 through the toll free number established under sec-
7 tion 2(a);

8 (2) to establish, assess, and collect a fee to
9 cover all the costs (including start-up costs) of reg-
10 istering products and including registered products
11 in information provided under the toll-free number;

12 (3) for the establishment under section 2(a) of
13 the toll-free number pilot program; and

14 (4) to solicit views from the private sector con-
15 cerning the level of interest of manufacturers in reg-
16 istering products under the terms and conditions of
17 paragraph (1).

18 (b) PROMULGATION.—If the Secretary determines
19 based on the comments on the regulation proposed under
20 subsection (a) that the toll-free number pilot program and
21 the registration of products is warranted, the Secretary
22 shall promulgate such regulation.

23 (c) REGISTRATION FEE.—

24 (1) IN GENERAL.—Manufacturers of products
25 included in information provided under section 2

1 shall be subject to a fee imposed by the Secretary
2 of Commerce to pay the cost of registering products
3 and including them in information provided under
4 subsection (a).

5 (2) AMOUNT.—The amount of fees imposed
6 under paragraph (1) shall—

7 (A) in the case of a manufacturer, not be
8 greater than the cost of registering the manu-
9 facturer's product and providing product infor-
10 mation directly attributable to such manufac-
11 turer, and

12 (B) in the case of the total amount of fees,
13 not be greater than the total amount appro-
14 priated to the Secretary of Commerce for sala-
15 ries and expenses directly attributable to reg-
16 istration of manufacturers and having products
17 included in the information provided under sec-
18 tion 2(a).

19 (3) CREDITING AND AVAILABILITY OF FEES.—

20 (A) IN GENERAL.—Fees collected for a fis-
21 cal year pursuant to paragraph (1) shall be
22 credited to the appropriation account for sala-
23 ries and expenses of the Secretary of Commerce
24 and shall be available in accordance with appro-

1 priation Acts until expended without fiscal year
2 limitation.

3 (B) COLLECTIONS AND APPROPRIATION
4 ACTS.—The fees imposed under paragraph
5 (1)—

6 (i) shall be collected in each fiscal
7 year in an amount equal to the amount
8 specified in appropriation Acts for such fis-
9 cal year, and

10 (ii) shall only be collected and avail-
11 able for the costs described in paragraph
12 (2).

13 **SEC. 4. PENALTY.**

14 Any manufacturer of a product who knowingly reg-
15 isters a product under section 3 which is not “Made in
16 America”—

17 (1) shall be subject to a civil penalty of not
18 more than \$7500 which the Secretary of Commerce
19 may assess and collect, and

20 (2) shall not offer such product for purchase by
21 the Federal Government.

22 **SEC. 5. DEFINITION.**

23 For purposes of this Act:

24 (1) The term “Made in America” has the
25 meaning given unqualified “Made in U.S.A.” or

1 “Made in America” claims for purposes of laws ad-
2 ministered by the Federal Trade Commission.

3 (2) The term “product” means a product with
4 a retail value of at least \$250.

5 **SEC. 6. RULE OF CONSTRUCTION.**

6 Nothing in this Act or in any regulation promulgated
7 under section 3 shall be construed to alter, amend, modify,
8 or otherwise affect in any way, the Federal Trade Com-
9 mission Act or the opinions, decisions, rules, or any guid-
10 ance issued by the Federal Trade Commission regarding
11 the use of unqualified “Made in U.S.A.” or “Made in
12 America” claims in labels on products introduced, deliv-
13 ered for introduction, sold, advertised, or offered for sale
14 in commerce.